

PROB 12A  
(06/15)United States District Court  
Southern District of Texas**ENTERED**

October 30, 2017

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT**  
**for the**  
**SOUTHERN DISTRICT OF TEXAS**

**Report on Offender Under Supervision – No Court Action Required**

Name of Offender: John Frederick Foerster Case Number: 1:14CR00876-002

Name of Sentencing Judge: The Honorable Andrew S. Hanen

Date of Original Sentence: January 27, 2016

Original Offense: Felon in Possession of a Firearm, in violation of 18 U.S.C. § 922(g)(1) and 924(a)(2)

Original Sentence: 30 months custody of the U.S. Bureau of Prisons followed by a three (3) year term of supervised release

Type of Supervision: **Supervised Release** Supervision Started: December 29, 2016

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**EARLIER COURT ACTION**

On February 15, 2017, a violation report was submitted to the Court which alleged violation of the mandatory condition of supervision which prohibits use of controlled substances not prescribed by a physician. On January 26, 2017, the offender submitted a urine specimen which tested positive for cocaine. On February 16, 2017, the Court concurred with the recommendation of the probation officer to take no action and allow the offender to attempt rehabilitative efforts via the outpatient drug treatment program. The Court reserved the right to address this violation at a later date.

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**NONCOMPLIANCE SUMMARY**

The offender has not complied with the following condition of supervision:

**Violation Number**   **Nature of Noncompliance**

**1**                      **Mandatory Condition: Possession and use of cocaine**

On or about January 26, 2017, and September 13, 2017, in Cameron County, Texas, John Frederick Foerster possessed and used cocaine, a controlled substance not prescribed by a physician, as evidenced by urine specimens submitted by him to Sr. U.S. Probation Officer Adrian Acuna and the treatment provider on those dates. Such specimens tested positive for

Foerster, John Frederick  
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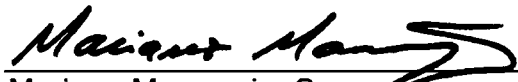
cocaine, through laboratory analysis. The possession alleged above is a violation of 21 U.S.C. § 844.


**U.S. Probation Officer Action:**

On September 13, 2017, the offender submitted his second positive urine specimen which indicates use of cocaine. On September 21, 2017, this officer confronted the offender about his drug use. Offender admitted using cocaine prior to the urine specimen. The offender continues to struggle with mental health issues and negative peer associates. He has participated in the outpatient treatment program at an acceptable level. The offender has requested to be allowed to continue to attempt rehabilitative efforts via the outpatient drug program. As a correctional strategy, the offender's participation in the program will be closely monitored to insure compliance with the rules and regulations of the outpatient program. As a controlling strategy, the offender has been admonished as to the statutory exposure for revocation proceedings in the instant offense. It is respectfully recommended that the Court allow the offender to continue to attend the outpatient drug treatment program. He has been admonished that further noncompliance could result in revocation proceedings, including incarceration. It is understood the Court reserves the right to address these violations at a later date.

Approved:

Respectfully submitted,

  
Mariano Marroquin, Supervising  
United States Probation Officer  
Date: October 16, 2017

By:   
Adrian R. Acuna  
Sr. United States Probation Officer  
Pacts No: 849471

**RE: JOHN FREDERICK FOERSTER**

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- ☒ Court Concurs with Recommended Action
- ☐ Submit a Request for Modifying the Conditions or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other:



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Andrew S. Hanen

United States District Judge

10/29/17

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Date